

REMARKS

Claims 1 and 3 are pending in the present Application. Claim 2 has been canceled and the feature of the invention previously recited therein has been incorporated into Claim 1. Claim 3 has been amended to improve its grammar. No new matter has been added. Accordingly, entry of the present Amendment is requested.

Claim 2 has been rejected under 35 U.S.C. § 112, first paragraph, as assertedly failing to comply with the enablement requirement. Based on the Examiner's explanation of the rejection, it appears that the Examiner intended to reject Claims 1 and 3 for lack of enablement, rather than Claim 2. In a telephone conversation on September 9, 2009, the Examiner confirmed that he meant to apply this rejection to Claims 1 and 3, rather than Claim 2.

Additionally, Claims 1 and 3 have been rejected for assertedly lacking utility on the basis that "the use of an 'extractant' . . . broadly would not be useful since it would extract the impurities and propylene oxide from the water without selectivity to make the process useful."

Claims 1 and 3 have also been rejected under 35 U.S.C. § 112, second paragraph, as assertedly being indefinite. It is indicated that these claims are indefinite because they "read on contacting the aqueous phase with any kind of liquid including water."

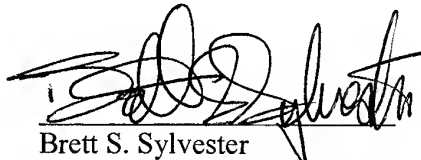
However, referring to page 3 of the Office Action, it is indicated that Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim. In the telephone conversation with counsel on September 9, the Examiner indicated that incorporating Claim 2 into Claim 1, as is being done here, should place the application in condition for allowance.

Without admitting that any of the rejections are correct and in order to expedite prosecution of the Application, Claim 2 has been canceled and incorporated into Claim 1. In view of the foregoing, Applicants respectfully submit that the present claimed invention as defined by amended Claim 1 now more clearly complies with the requirements of 35 U.S.C. § 112, first and second paragraphs, and 101. Accordingly, withdrawal of the above-mentioned rejections is requested.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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